

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

BANK OF AMERICA, N.A.,

Plaintiff,

v.

Case No. 2:11-CV-881

JUDGE EDMUND A. SARGUS, JR.

MAGISTRATE JUDGE NORAH MCCANN KING

SARAH L. ALLEY, et al.,

Defendants.

**OPINION & ORDER**

This matter is before the Court for consideration of Plaintiff Bank of America, N.A., successor by merger to BAC Home Loans Servicing, L.P.'s Motion to Dismiss Counterclaims of Defendant Sarah Alley (Doc. 10). This motion was filed before Defendants filed an Amended Answer and Counterclaims (Doc. 29) on August 20, 2012. Accordingly, Plaintiff's Motion to Dismiss Defendant's original counterclaims (Doc. 10) is **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

8-20-2012  
\_\_\_\_\_  
**DATED**

  
\_\_\_\_\_  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**